

CITY OF LYNN

**Regular City Council Meeting, October 22, 2013
Council President Timothy Phelan Presiding**

Ten Councillors Present (Councillor Capano absent).

Moment of Silence.

Pledge of Allegiance.

COMMUNICATIONS:**Communication from Peter Caron, Director of Assessing/CFO**

Dear Councilors:

The Board of Assessors respectfully requests a Public Hearing be held before the City Council on December 10, 2013, in order for the Board to provide to the Council all information and data relevant to making a determination on the percentages of the FY'2014 tax levy to be borne by each class of real and personal property, as well, as the financial effect of available alternatives, including the open space discount, the residential exemption and the small commercial exemption.

Please note that, as provided in the General Laws, the residential exemption and the small commercial exemption are at the option of the Mayor, with the approval of the Council.

Therefore, if the Mayor makes no recommendation to the Council for adoption of either of these exemptions, Council action is not required. Very truly yours, Peter M. Caron,

Director of Assessing

Motion made by Councillor Colucci and seconded by Councillor Barton to set down for Public Hearing.

Motion carried.

PUBLIC HEARINGS:

Public Hearing on an Ordinance Amending a Portion of the Zone Map of the City of the City of Lynn and the Zone Ordinance of the City of Lynn (Proposed Zoning Ordinance Changes for Washington Street (WS) and Sagamore Hill Corridor Overlay (SHCO) Districts.

The following appeared in Favor:

Jeff Wheaton, LHAND

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Colucci and seconded by Councillor Crighton to grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of National Grid for permission to install 80' of conduit and secondary service from pole 9 across the street to 4 Meghans Way.

Motion made by Councillor Trahant and seconded by Councillor Cyr to set down for Public Hearing.

Motion carried.

UNFINISHED BUSINESS:

Ken Weeks subpoena appearance. **Ken Weeks appeared with his Attorney, George Hazel. After a lengthy discussion, Attorney Hazel announced that his client would not be answering any more questions. Mr. Weeks and his Attorney left the Chambers.**

COMMITTEE REPORTS:**Report of the October 22, 2013 Committee on Ways and Means recommending the following to be accepted:**

Recommends that the Lynn City Council be requested to set down a Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 30 Holly Avenue and, after hearing, may make record an order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing to its disposition, alteration, or regulation, all as authorized by Massachusetts General Laws, Chapter 139, Section 1. –

Granted

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on Education recommending the following to be accepted:

1. Discussion re: Net School Spending

2. OTHER BUSINESS

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on Ordinance recommending the following to be accepted:

1. Discussion re: Zoning / Boston Street – TABLED

2. OTHER BUSINESS:

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on CBD Advisory recommending the following to be accepted:

1. Discussion re: Smart Growth Initiatives – Motion made to recommend LHAND proceed with plans for the establishment of an HD Zone in the City of Lynn.

2. OTHER BUSINESS

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Dinow, Mohamud S. 97 Washington St # 3 - **Tabled**

TAXI OPERATORS – Tabled FROM OCTOBER 8TH – NO SHOW

Bruno, Ramon. 138 Franklin St # 7– **Granted w/30-60-90 Day Review**

TAXI OPERATORS- 30 DAY REVIEW.

Blackwell, Christopher. 14 Holland St # 1 - **Granted**

Casey, Diana. 35 Kingswood Lane - **Tabled**

Doucette, Daniel. 64 Lowell St. – **NO SHOW FROM OCT 8TH - Granted**

LIVERY SERVICE NEW- VIZRIDES AND OPERATOR

VizRides. 69 Lynnway. Lynn, M. Owner: Vizmark Marquez - **Granted (cannot be parked at residence).**

Marquez, Vizmark. 69 Lynnway # 10. Driver for New Livery VizRides – **Granted (cannot be parked at residence).**

LIVERY OPERATORS-NEW

Watson, Antoinette. 29 Grandview Ave. - **Tabled**

LIVERY OPERATORS -30 DAY REVIEW

Anderson, Kerianne. 15 Crowninshield St # 401. Peabody- **Granted**

CHRISTMAS TREE-RENEWAL

800 Lynnway, Tree Brother - **Granted**

SECOND HAND LICENSE-NEW

627 Boston St., Fresco Consignment Store - **Granted**

800-810 Lynnway, Let's Make A Deal - **Tabled**

SIGN LICENSE –RENEWAL

108 Union St., Michael Neloms Okikukai Karate-DO - **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on Public Property recommending the following to be accepted:

1. Discussion re: 465 Essex Street U2 - (Place out to Bid) – **Granted**
2. **OTHER BUSINESS**

REPORT ACCEPTED.

Report of the October 22, 2013 Committee on Finance recommending the following to be accepted:

Ordered that the City Comptroller be and is hereby authorized to take the following action:

Transfer the sum of Two Thousand Two Hundred Fifty Two Dollars and Twenty Five Cents from ISD Expense to the Account of ISD Unpaid Bills of Prior Years.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer the sum of Two Thousand Two Hundred Fifty Two Dollars and Twenty Five Cents from ISD Expense to the Account of ISD Unpaid Bills of Prior Years.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Transfer the sum of Eight Thousand Dollars, Five Thousand from Mayors Office Payroll and Three Thousand from Mayor's Office Expense to Fire Department Expense.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer the sum of Eight Thousand Dollars, Five Thousand from the Mayor's Office Payroll and the Three Thousand from the Mayor's Office Expense to the Fire Department Expense.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of Five Million Two Hundred Thirty Eight Thousand Nine Hundred Ninety Three Dollars and Zero Cents (\$5,238,993.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Title I Central FY14 Grant. Grant Period 10/1/13-6/30/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order Certifying as an "Available Fund" the amount of Five Million Two Hundred Thirty Eight Thousand Nine Hundred Ninety Three Dollars and Zero Cents (\$5,238,993.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Title I Central FY14 Grant. Grant Period 10/1/13-6/30/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of Fifty Six Thousand Dollars and Zero Cents (\$56,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for SPED 274 Program Improvement Grant. Grant period 10/3/13-8/31/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of Fifty Six Thousand Dollars and Zero Cents (\$56,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for SPED 274 Program Improvement Grant. Grant period 10/3/13-8/31/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of Two Million Two Hundred Thirty Four Thousand Six Hundred Eighty Five Dollars and Zero Cents (\$2,234,685.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Race to the Top Grant.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of Two Million Two Hundred Thirty Four Thousand Six Hundred Eighty Five Dollars and Zero Cents (\$2,234,685.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Race to the Top Grant.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of One Hundred Fifty Eight Thousand Two Hundred Sixty Dollars and Zero Cents (\$158,260.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Essential to School Health Grant. Grant Period 7/1/13-6/30/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of One Hundred Fifty Eight Thousand Two Hundred Sixty Dollars and Zero Cents (\$158,260.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Essential to School Health Grant. Grant Period 7/1/13-6/30/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of One Hundred Thousand Three Hundred Forty One Dollars and Zero Cents (\$100,341.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for 262 Early Childhood Allocation Grant. Grant Period 7/1/13-6/30/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order as an "Available Fund" the amount of One Hundred Thousand Three Hundred Forty One Dollars and Zero Cents (\$100,341.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for 262 Early Childhood Allocation Grant. Grant Period 7/1/13-6/30/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of Five Hundred Eighty One Thousand Five Hundred Eighty Seven Dollars and Zero Cents (\$581,587.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Quality Full Day Kindergarten (ADK) Grant. Grant period 7/1/13-6/30/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of Five Hundred Eighty One Thousand Five Hundred Eighty Seven Dollars and Zero Cents (\$581,587.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for Quality Full Day Kindergarten (ADK) Grant. Grant period 7/1/13-6/30/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Certify as an "Available Fund" the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the Financial Literacy Grant. Grant period 9/27/13 - 6/30/14.

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order certifying as an "Available Fund" the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the Financial Literacy Grant. Grant period 9/27/13 – 6/30/14.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

Emergency Order was then adopted by the following yea and nay vote:

10 YES 0 NO (Councillor Capano absent).

NEW BUSINESS:

Council President Phelan announced that the City of Lynn is hosting a Halloween Costume Party on October 29, 2013 from 6:00 -7:00 p.m. in the City Hall Foyer.

Motion made by Councillor Colucci and seconded by Councillor Ford to adjourn.
Motion carried.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK